FOR MYSORE STATE

Revenue (1953) Department.

Rg SERIES.

G.O. NO.

199

Close pap
Rev
Sept

Dated 22.1.53.

Revenue Department.

Subject.

Alienation - Land and Land Revenue (South Kanara) - Mangalore Taluk.- Derebail village - S.Nos.163/2A, 163/3B - In favour of the Manager and Correspondent of Sri Ramashram Higher Elementary School, Konchady for school building and garden - Recommended.

Ref.E.7719/52-2.

Station:Madras. Dated 24-11-52

From

Sri A.F.Mascarenhas, IAS.,
Secretary, Board of Revenue.

Sri S.A.Venkataraman, ICS.,
Commissioner of Land Revenue.

Read:- From the Collector of South Kanara, Ref.B3-2609/52 dated 13-9-52.

ii) do. do. d/11-11-52.

REFERENCE:

Submitted to the Government.

2/ At the instance of the Collector of South Kanara, the Board recommends that the plots of land comprised in T.S.Nos.163/2-A and 163/3-B of Derebail village of Mangalore Taluk and town measuring 73 cents and 62 cents may be disreserved and alienated in favour of the Manager and Correspondent for the time being of Sri Ramashram Higher Elementary School, Konchady for use as the sites for school building and garden.

3/ The Board also recommends that T.S.Nos.163/2C and 163/3A of Derebail village may be transferred as foot-path poramboke.

4/ The alienation will be free of charge for the occupancy right and free of ground rent, but subject to the following conditions:--

(1) the land comprised in T.S.No.163/2-A measuring 73 cents in extent shall be used for school building and the land in T.S.No.163/3B measuring 62 cents in extent shall be used for school garden and for no other purposes;

(2) The school building shall be constructed and the garden laid out within a period of two years from the date of the grant.

(3) No building shall be constructed on the land set apart for garden and no other buildings shall be constructed on the land set apart for school building without the previous permission of the Collector of the district.

(4) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land. The Collector shall decide whether a net income is derived from the land or not and his decision shall be final.

(5) The grantee shall maintain the building on the plot after its construction in accordance with condition No.2 in good condition. Such repairs as the Collector may consider necessary from time to time shall be executed by the grantee within such time as the

Collector may fix and to his satisfaction. In the event of default, the repairs shall be carried out by the Collector and the cost thereof recovered from the grantee.

(6) The school be open to men including the scheduled castes.

(7) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringment of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected, or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have beenpaid to the Government for the grant. If there are buildings on the land, the Government may direct the grantee to remove them and if the grantee refused to remove them when so directed the Government or any officer empowered by them in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

(8) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for public purposes or for conducting mining operations. In the event of such resumption, or in the event of the acquisition of the land for any reasons, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less, and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less together with the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government towards the cost of the buildings or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by theGovernment in respect of buildings constructed in contravention of condition (3).

(9) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to theGovernment for grant, or the value of the land at the time of relinquishment, whichever may be less.

(10) Full land revenue shall be levied if at any time any net income is derived fromthe land or if any of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied fromthe date of the infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final.

(11) The Government reserve to themselves the right t
all sandal-wood trees and their branches and roots which
exist at the time of alienation as well as those which m
grow subsequently on the land and theGovernment shall bc
liberty to cut or dig out any such trees or their roots
branches and remove them from the land and dispose of th
at their pl asure. The alience shall not be
entitled to cut or remove them or cause them to be cut o
removed without the permission of the Collector of the
district.

(12) The alience shall take all reasonable measures
the satisfaction of the Collector of the district for th
protection of the sandal-wood trees from theft or damage
for the careful protection of the immature trees growin
the land.

(13) The alience shall take the steps to see that th
marks made by the officers of the Governmat on the sand
wood trees are preserved and are not tampered with; and

(14) In the event of the infringement of, or failure
observe any of the conditions (11) to (13), the alienc
shall pay to the Government such compensation as is determ
by the Collector of the district for any loss or damage
caused by such infringement or failure on his part. The
Government shall also be at liberty to resume the land
re-enter on it and the whole land shall thereupon vest
absolutely in the Government. In that case the alienc
shall not be entitled to any compensation whatever.

Copy of letter Ref.B3.2609/52 dated 11-11-52 from the Collector of South Kanara.

Sub:- Alienation - Land and Revenue - (South Kanara) - Mangalore Taluk - Derebail village - T.S.Nos.163/2A and 163/3B - in favour of the Ramashram H.E.School Konchady - for school purpose - Further report.

Ref:- Board's Ref.F.7719/52/1 dated 14-10-52.

...

It is reported that there are no institutions under the Central Government adjoining the sites proposed for alienation.

Sd. x x
For Collector.

(True copy)

k.t.s.24/11.

For Secretary.

Ref B3. 2609/52

S.K.Collector's office,
Mangalore dated 13-8-1952.

From

Sri C.A.Ramakrishnan I.C.S.
Collector of South Kanara,
Mangalore.

To

The Secretary to the Board of Revenue,
Land Revenue(Chepauk,) Madras 6
(In duplicate).

Sir,

Alienation : Land and Land Revenue(South Kanara)-Mangalore Taluk- Derabail village. T.S.No 163/2A and 163/3B for school purposes in favour of Sri Ramashram Higher Elementary School- Proposals-

****

I submit herewith proposals for the alienation of land and land revenue in respect of T.S.No 163/2A and 163/3B of Derabail village in Mangalore Taluk and Town South Kanara District measuring 0.73 cents and 62 cents respectively in favour of Sri Ramashram Higher Elementary School Konchady for the purpose of school building and a garden for the school respectively.

2/- The manager and correspondent of Sri Ramashram Higher Elementary School has applied for the reservation of the remaining portions of the lands denoted as T.S.Nos 163/2B and 163/3C measuring 2.71 acres and 1.61 acres respectively also for the purpose of a playground to the same school. The proposals for the reservation of the plots for playground purposes will be taken up as soon as the alienation is sanctioned.

3/- T.S.No 163/2 and 3 of Derabail village stand registered as Poramboke and A.W. respectively in the revenue Accounts and stand reserved for T.B. Hospital purposes. But as lands have been reserved in Mudushedde village in Mangalore Taluk for T.B. Hospital purposes there is no necessity for these lands also to be reserved for the same purposes, ~~there is no necessity~~ However the South Kanara branch of the Madras Provincial Welfare fund was consulted and it has informed me that the T.B. sanatorium committee does not require the plots for the sanatorium. Hence I recommend that T.S.Nos 163/2 and 3 of Derabail village may be ordered to be disreserved and alienated the portions required for school purposes.

4/- There is a foot path running through the southern side of 163/2 denoted as T.S.No 163/2C and 163/3 and on the northern side of 163/3 denoted as T.S.No 163/3A leading to the road in T.S.No 138/2. As to allow sufficient width to the road in 138/2, some space has been left out on the eastern side of 163/3. I recommend that portions marked as T.S.No 163/2C and 163/3A may ordered to be transferred as foot path poramboke.

5/- The plots T.S.No 163/2 and 3 are vacant and devoid of any tree growth. A notice inviting objections for the proposed disreservation and alienation was published in the village and no objections were received.

6/- The lands have been valued at Rs. 2500/-per acre on the following basis.

Estimated annual letting value of similar lands in the vicinity | Rs. 100-0-0 per acre.

Deduct assessment per acre 0-8-0

Net. Rs. 99-8-0

Capitalised at 4 % Rs. 2487-8-0 or
Rs. 2500-0-0 in round figures.

The market value of 1-35 acres proposed for alienation works out to Rs.3375-0-0. The land revenue to be foregone in this case works to Rs.17-3-0.

7. The plots lie within the Mangalore Municipal limits and as the provisions of G.O.1065 Dev. dated 1-5-1951 are applicable, the several Heads of Departments and the Mangalore Municipality were consulted by me. They have informed me, ~~They have informed me~~ that the plots are not required by their respective Departments for Government purposes and they have no objections to the alienation of the plots for the school purposes. The Mangalore Municipality has also ~~consent~~ consented to the alienation of the lands.

8. The conditions of alienation have been notified to the manager and correspondent of the school who has agreed to abide by those conditions. The S.D. fees of Rs.8/- and the demarkation charges of Rs.6-8-0 have been collected and credited into the Sub-Treasury, Mangalore.

9/- The plots are required for an unremunerative public purpose. Hence the collections of site value may be waived and the alienation may be ordered free of Land Revenue. In the end I recommend the alienation of T.S.Nos.163/2A and 163/3B of Derebail village measuring 0.72 cents and 0.63 cents respectively for the purpose of school building and a garden in favour of the Manager and correspondent of Sri. Ramashram Higher Elementary School, Konchady free of charge for the occupancy right and free of land revenue.

10/- Sketches, adangal extracts, C.D.records, aliena ion statements etc., are enclosed in duplicate

Yours faithfully,

For Collector.

Application for the alienation of land revenue payable to Government.

~~Description and area~~

District:- South Kanara. Taluk : Mangalore Village.

		S.No.163/2A ~~Items~~ units	S.No.163/3. ~~Items~~ Clients.
1. Description and area:	Poramboke	0 73	A.W.Dry. 0-62
	Total.	1.35 acres	0.62
Areas in village No.		No. 88 Derebail	
Taluk		Mangalore.	
2. (a) Annual ~~Amount~~ assessment.		(0-8-0 per acre Re. 0-11-0	
(b) Capitalized value		Rs. 17-3-0	
3. Alienee and purpose of alienation		Konchady Sri.Ramashram Higher Elementary school building. and vegetable garden.	
4. Collector's Remarks		RECOMMENDED.	

South Kanara Collector's Office, Mangalore d-13-9-1952.

For Collector.

Application for the alienation of land in which ~~property~~ Proprietory rights belongs to the State.

District: ~~So-K~~ South Kanara.
Taluk --- Mangalore.
Village. - 88 W Derebail.

1) Description and area -	163/2A of Poromboke	0-73
	163/3B "	0-62
	Total	1-35

2) Market value: . Rs. 2487-8-0 per acre.

3) Alienee and purpose of alienation.) Konchadi Sri.Ramashram Higher Elementary School, building, and garden.

4) Collector's remarks RECOMMENDED.

South Kanara Collector's Office, Mangalore. dated 13-9-1952.

FOR COLLECTOR.

Data
~~Water~~ statement for the market value of the plots S.No.163/2A and 3B.

Estimated letting value per acre	--	Rs. 100-0-0
Deduct assessment per acre	--	Rs. 0-8-0
Net	--	Rs. 99-8-0
Capitalised value at 4% per acre	--	Rs. 2487-8-0 or 2500 in round figures.

Market value of the total extent of 1.35 acres proposed for alienation) Rs. 3375-0-0
Rs.Three thousand three hundred and ~~fifty eight and annas two only.~~ seventy five only

South Kanara Collector's Office,
Mangalore, dated 13- 9- 1952.

13/9/52 For Collector.

Statement showing the nature & age and value of buildings and all other improvements in S.No.163/2A,3B.

NIL.

South Kanara Collector's Office,
Mangalore,dated 13-9-1952.

12/9/52 For Collector.

Valuation statement of ~~destinguished items~~ trees of spontaneous growth conversed in S.No.163/2A and 3B.

NIL.

South Kanara Collector's Office
Mangalore, dated 13- 9- 1952.

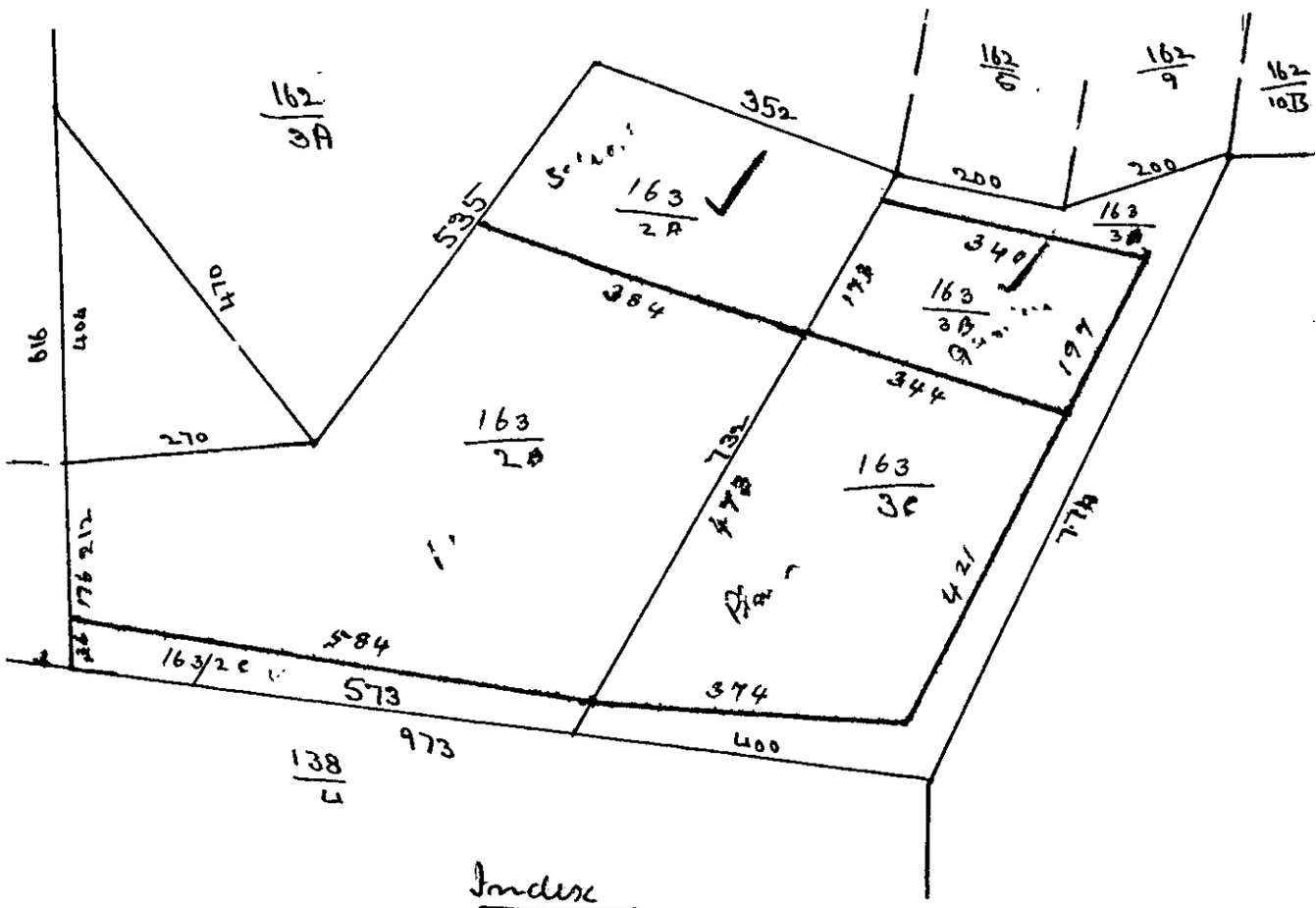
13/9/52 For Collector.

South Kanara

Taluk

Field No 163

Village { No 88 / Name . Denderal



Index

S No	Sub No	Details
163	2	Poramboke – Reserved for T.B. Hospital, and a new
	3	proposed site in favour of the Kumbazy. Sri Ramaswamy
		Higher Elementary School for purpose of a playground and a Vegetable
	1	Patta land of Mukunda Shanbhagru. Garden
161	1	
	2	Govt. Dry
138	4	Patta land of Ismail Sahib and others
162	3A	Patta land of Mukunda Shanbhagru
	5	—do— Krishnayya Shenbhagru
	9	—do— Dr K M. Shenoy
	10B	—do— Mijar Venkatesh Rao
138	2	Poramboke Road.

15/8/50.

Pl. issue
Dc 22.1.53
Rc 22.1.53

Rev. Dept

C.No. 95023 24/52 C

Read :

From the Board of Rev. Rc. E.7719/52.2 dt 24.11.1952

G.O. Ms. No. 199 dt 22-1-53

M on p. b cf

Extent plots of land in T.S.Nos 163/2A and 163/3B of Derabail village measuring 73 Cents and 62 Cents respectively allotted for school purposes

The Govt. direct sanction the alienation that T.S. No 163/2a of Derabail Village, Mangalore taluk, S. Kanara dist be disreserved for T.B. Hospital purposes be disreserved and that ~~a portion~~ land in ~~of T.S.No. portion subdivided~~ as T.S. Nos. 163/2C and 163/3A in which a foot path runs be transferred into food poramboke.

2. The Govt also sanction ~~also~~ the alienation of the plots of land comprised in T.S. Nos. 163/2.A and 163/3.B of Derabail village of Mangalore town and taluk, S. Kanara district, measuring 73 Cents and 62 Cents respectively, in favour of the Manager and Correspondent for the time being of Sri Ramashram Higher Elementary School, Konchady for use as the site for the school building and garden.

3. The alienation will be free of charge for the occupancy right and free of ground rent but subject to the following conditions :-

(1) The land comprised in T.S. No. 163/2.A measuring 73 Cents ~~in extent~~ shall be used for the school building and the land in T.S. No. 163/3.B. measuring 62 Cents ~~in extent~~ shall be used for the school garden and for no other purposes.

(2) The School building shall be constructed and the garden laid out within a period of two years from the date of the grant.

(3) No building shall be constructed on the land set apart for garden and no other building shall be constructed on the land set ~~apart~~ apart for the school building without the previous permission of the Collector of the district.

(4) The market value of the land shall be

collected if at any time it is found that the grantee derives a substantial income from the land. The Collector shall decide whether a net income is derived from the land or not and his decision shall be final.

(5) The grantee shall maintain the building on the plot after its construction ~~in accordance with Condition No.(2)~~ in good condition. ~~The grantee shall~~ execute such repairs as the Collector may ~~be~~ considered necessary ~~by the Collector and also within the time~~ from time to time shall be executed by the grantee within such time as the Collector may fix and to his satisfaction. In ~~the event~~ case of default, the repairs shall be carried out by the Collector and the cost thereof recovered from the grantee.

(6) The school shall be open to members of all classes including the Scheduled Castes.

(7) The Government may resume the land, wholly or in part, ith any buildings thereon, in the event of the infringement f any of the conditions of the grant. In the event of such esumption no compensation shall be payable for any improve- ents that may have been effected or other works that may hav een executed on the land by the grantee and the grantee sha ot be entitled to the repayment of any amount that may have een paid to the Government for the grant. If there are uildings on the land the Government may direct the grantee emove them and if the grantee refuses to remove them when s irected the Government or any officer empowered by them in his behalf shall have power to remove the buildings and ealise the cost of such removal by the sale of the material

(8) The Government may resume the land, wholly or in part ith any buildings thereon, if in the opinion of the Govern- ent the land is required for public purposes or for conduct ng mining operations. In the event of such resumption or i he event of the acquisition of the land for any reason, the ompensation payable for the land and trees shall in no case xceed the amount paid for them by the grantee or their valu t the time of resumption or acquisition whichever may be ess and the compensation payable for buildings or other mprovements shall in no case exceed the amount paid for the y the grantee at the time of alienation or their value at he time of resumption or acquisition, whichever may be less ogether with the initial cost of the value at the time of esumption or acquisition, whichever may be less, of any uildings erected or other improvements effected on the land y the grantee in accordance with the terms of the grant. he amount of any grant made by the Government toward the ost of the buildings or other improvements shall be deducte rom the compensation payable under this condition. But in circumstances shall any compensation be paid by the Gover ent in respect of buildings constructed in contravention f condition (3).

(9) In the event of the voluntary relinquishment of the lan y the grantee, no compensation shall be payable for any mprovements that may have been effected or for works that ay have been executed on the land by the grantee but the rantee shall be entitled to the repayment of any amount tha ay have been paid to the Government for the grant of the alue of the land at the time of relinquishment whichever ay be less.

(10) Full land revenue shall be levied if at any time any et income is derived from the land or if any of the con- itions of alienation are infringed. In the latter case, th and revenue shall be levied from the date of ~~the~~ infringemen he decision of the Collector on the question whether a net ncome is derived from the land or not shall be final.

(11) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subse quently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches nd remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the District.

(12) The alienee shall take all reasonable measures to the satisfaction of the Collector of the District for the protec tion of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land

(13) The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

(14) In the event of infringement of or failure to observe any of the conditions (11) to (13) the alienee shall pay to the Government such compensation as is determined by the Collector of the District for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

52 (~~BY ORDER OF THE GOVERNOR~~)

15.12.52 16.12.52

~~DEPUTY SECRETARY TO GOVERNMENT.~~

To the Board of Revenue (Land Revenue)

OPW 110/52.1.D

(~~True copy~~)
~~Forwarded/~~By Order

Asst Supt

~~Superintendent.~~

Alienation - Land and Revenue - (S. Kanara)
CW.No. 9502-32w/52 Mangalore taluk - Derahail village - SN.No 163/2A and 163/3-B - in favour of Elementary Sch Konchady -
CF From the Bd of Rev Rypo E-7719/52-2 dy 3-4-11 :

To AF

Plean see the Bd's Rypore in the C.F.

2 The Collector of South Kanara has submitted proposals for the alienation of land and land revenue in respect of T.S.No 163/2A and 163/3B of Derahail village in Mangalore taluk measuring 73 cents and 62 cents respectively in favour of the Manager, Sri Ramakrishna Higher Elementary School, Konchady. The Collector has stated that T.S.No 163/2 & 3 of Derahail village stand reserved for T.B. Hospital purposes and that the land is not required for hospital purposes and that the land may therefore be disreserved. He has also recommended that portions required for the School may after disreservation be alienated and that portion of the land (T.S.Nos 163/2C and 163/3A) in which a foot path runs may be transferred after conservation to a foot path panchayat.

The Bd has however recommended that portions required by the School may be disreserved and alienated for School purposes. The question is whether it would not be necessary to disreserve the land in which a footpath runs before transferring it into another kind of panchayat. The Bd has not offered any remarks on this point but has simply recommended the transfer of the land into a foot path panchayat. It is submitted that the transfer of the land into a foot path panchayat would be a diversion of the purpose for which the land stands reserved. It

Seems therefore necessary to dissociate this portion of the land before transferring it into a fort path promenade. The Collector has stated that the entire land in T.S.No. 163/2 & 3 is no longer required for hospital purposes. The entire land in T.S.No. 163/2 & 3 may perhaps be dereserved as recommended by the Collector and the portions required for the school may be alienated. The portion of the land in which there is a fort path may be also diverted to be transferred into a fort path promenade. Subject to orders a draft order is submitted for approval.. Health

..... Health, L.A., Edn. and Finance may see for remarks.

15-12-52

16.12.52

17/12/52

Para 3 on p.6 CF

M on p.6 CF

Govt A

13/12/52

88

Health

L.A

Edn

Finance

Health / L.A / Edn / Fin

Health

L.A

Rev. U.O.No. 9503

16.12

The note of Rev on pp 1-2 above may be perused. Attention is invited to para 3 of the letter of the Collector of South Kanara on p. 6 CF. The draft order below may be accepted and the file passed on to L.A.

ASSISTANT SECRETARY 61649 17 DEC 1952 HEALTH DEPARTMENT

ASSISTANT SECRETARY 26 DEC 1952 EDUCATION DEPARTMENT

SVT 18.12.52

18/12

18/12/52

JRR 18/12/52

L A D

Draft accepted.

LOCAL ADMN 54847 22-DEC 1952 SECRETARIAT, MADRAS

L.Dis.No. 54847-52-1A

24-12-1952

Rev

24-12-52

Edn

Education (C)

The draft order below may be accepted if the file passes on to Finance.

Rev
5/1/53

6/1/53

7/1/53

Fin (Accts)

The draft order below may be accepted

10.1.53 Rev.

8.1.53

Fin U.O. 1833/Accts./12.1.53

Rev Dept

To AS

Notes from page 1 and 2 may be perused. The draft order below may now issue.

19.1.53

19.1.53

(L.R.)

20/1

Ci. 20/1.